

FILED

April 12 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 10-0113

ROBERT JAMES THOMAS,

Petitioner,

v.

MIKE FERRITER, Director of Montana
Department of Corrections; and
DAVE ARMSTRONG, Director of Alternatives,
Inc., Alpha Pre-release,

Respondents.

ORDER
FILED

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STATE OF MONTANA

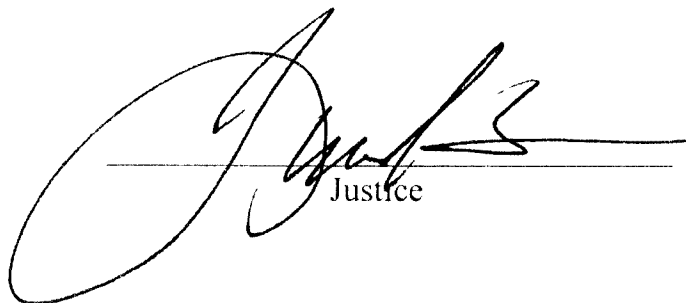
We issued an April 6, 2010 Order in this matter. We conclude that the Order was improvidently issued with respect to denying the appointment of counsel.

IT IS ORDERED the portion of the April 6 Order denying appointment of counsel is VACATED, pending further order of the Court.

The Clerk is directed to provide a copy of this Order to counsel of record and to Thomas.

DATED this 12th day of April, 2010.

For the Court,


Justice